

TRANSPORTATION ADMINISTRATION

CS/CS/SB 1456 — Transportation

by Appropriations Committee; Governmental Oversight and Productivity Committee; and
Senator Sebesta

FDOT Reorganization

Section 20.23, F.S., is amended to permit the Secretary of the Department of Transportation (FDOT) to appoint up to three assistant secretaries rather than requiring the appointment of two to statutorily-created positions. The requirement to appoint deputy assistant secretaries to statutory positions is removed, allowing the appointment of deputy assistant secretaries or directors with responsibility for accomplishing the mission and goals of FDOT including, but not limited to, the areas of program responsibility. Each district secretary may appoint up to three district directors, or, until July 1, 2005, up to four district directors without specifying titles or positions by statute. Public Transportation is established as one of FDOT's areas of program responsibility. Section 110.205, F.S., is amended to update a reference.

Transportation Program Funding

Subsection (6) of s. 338.001, F.S., is revised to provide a minimum allocation of \$450 million annually for Florida Intrastate Highway System (FIHS) projects. Section 339.08, F.S., is revised to permit the use of State Transportation Trust Fund (STTF) moneys for the cost of projects on the Strategic Intermodal System (SIS). The Transportation Outreach Program (TOP) is removed from the list of eligible uses. Section 339.135, F.S., is revised replacing the allocation of at least 50 percent of new discretionary highway capacity funds to the FIHS, with the same minimum allocation to the SIS. Section 339.137, F.S., is repealed, effectively abolishing the Transportation Outreach Program. Section 339.1371, F.S., is revised redirecting STTF revenue currently used in funding the TOP to the SIS. Section 339.61, F.S., is revised to allocate a minimum of \$60 million annually from the STTF for projects on the SIS.

Public-Private Transportation Projects

Section 34.30, F.S., is revised to authorize the FDOT to use state resources and to enter into public-private partnership agreements for a transportation facility project that is in the FDOT adopted and legislatively funded work program. The section requires the FDOT to ensure all reasonable costs to the state related to transportation facilities that are not part of the State Highway System are to be borne by the private entity and all reasonable costs to the state, local governments, and utilities are to be borne by the public-private entity for transportation facilities

owned by private entities. Any toll or fare for the use of public-private transportation projects will be regulated by the FDOT.

Section 348.0004, F.S. is revised to authorize expressway authorities to enter into public-private partnership agreements for a transportation facility project. The expressway authority must determine beforehand that such a project is in the best interests of the public; does not require state funds, other than funds allocated as part of the state highway system; and has adequate safeguards to prevent service disruptions in the event of its termination. The bill further authorizes loans from the Toll Facilities Revolving Trust Fund to fund such public-private partnerships sponsored by expressway authorities.

Public Right-of-Way

The bill amends s. 337.401, F.S., to exempt electric utilities from those facilities for which FDOT may delegate permitting authority to a governmental entity. Also, the bill amends s. 95.361, F.S., to create an exemption for electric utilities from the presumption that a private road is deemed dedicated to the public if it has been regularly maintained by a governmental body for seven years. Section 337.408, F.S., is modified to add modular newsracks to the list of receptacles and equipment that may be located within the public right-of-way.

Metropolitan Planning Organizations

The bill requires MPOs to identify and emphasize transportation facilities that serve national, state, and regional functions including projects designated as part of the Strategic Intermodal System.

High Speed Rail Authority

The Florida High-Speed Rail Authority Act gives broad tax exemption status to the High Speed Rail Authority and its agents. Sections 341.8203 and 341.840, F.S. are amended to clarify the tax exempt status as it relates to agents of the Authority. The bill narrows the tax exempt status by excluding associated development from the exemption, clarifying only component parts of the high-speed rail system and certain financial instruments are eligible for exemption. The bill provides a certification process to establish tax exemption status for contractors.

Tampa Bay Commuter Rail Authority

The Tampa Bay Commuter Rail Authority is redesignated as the Tampa Bay Commuter Transit Authority. The membership of the authority is expanded to include representation from Manatee and Sarasota Counties.

Emerald Coast Bridge Authority

Section 338.251, F.S., is amended to reorganize the debt service of the Emerald Coast Bridge.

Greater Orlando Aviation Authority

Chapter 1988-474, L.O.F., is amended to require the mayor of Orlando and the chairman of the Orange County Commission to be voting members of the Greater Orlando Aviation Authority.

Survey Markers

Section 177.031, F.S., is revised to allow alternative materials in certain survey markers.

Crandon Boulevard (Miami-Dade County)

Chapter 1988-418, L.O.F., is modified to allow modifications to Crandon Boulevard for the enhancement of safety and pedestrian use provided the improvement is heard in public hearing and approved by the Village Council of the Village of Key Biscayne.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 116-0

HB 9 — Road and Bridge Designations

by Rep. Needelman and others (CS/SB 1122 by Transportation Committee and Senators Sebesta, Lee, Miller, Crist, Lynn, Dawson, and Cowin)

This bill creates the following road designations:

- The portion of State Road 207 between Interstate Highway 95 in St. Johns County and the intersection with U.S. Highway 17 in Putnam County is designated as “Browning-Pearce Memorial Highway.”
- The portion of U.S. Highway 17 in Putnam County from Crescent City south to the border at Volusia County is designated as “Jerome A. Williams Memorial Highway.”
- The portion of State Road 16 in Clay County within the town limits of the Town of Penney Farms is designated as “James C. Penney Memorial Boulevard.”
- The C. Fred Arrington Bridge located on U.S. Highway 27 between Tallahassee and Havana and crossing the Ochlockonee River is designated as “C. Fred and Marvin Arrington Bridge.”
- The portion of U.S. Highway 192 from Interstate Highway 95 in Brevard County to St. Cloud in Osceola County is designated as “Howard E. Futch Memorial Highway.”

- The St. Johns River Bridge on I-4 at the Seminole/Volusia County line is designated as the “St. Johns River Veterans Memorial Bridge.”
- State Road 121, from the Georgia-Florida line in Baker County to the city limits of Lake Butler in Union County is designated as the “Ed Fraser Memorial Highway.”
- The portion of Interstate 95 in Nassau County is designated as the “Trooper Charles W. Parks Memorial Highway.”
- State Road 121, from the Union County line to the city limits of the City of Lake Butler, is designated as the “Deputy Renee Danell Azure Memorial Highway.”
- The portion of U.S. Highway 17/92/441 (Orange Blossom Trail) in Osceola County from U.S. Highway 192 to the Orange County line is designated “Robert Guevara Memorial Highway.”
- The portion of N.W. 103rd Street from N.W. 3rd Avenue to N.W. 32nd Avenue in Miami-Dade County is designated as “William H. Turner Memorial Boulevard.”
- The portion of U.S. Highway 98 in Gulf County, from the Tapper Bridge to the First United Methodist Church at 1001 Constitution Drive in the City of Port St. Joe is designated as the “Clifford C. Sims Parkway.”
- The bridge on I-75 at the Lake Panasoffkee area exit in Sumter County is designated as “Florida Veterans Memorial Bridge.”
- The portion of U.S. Highway 90 between the City of Monticello in Jefferson County and the border at Suwannee County in Madison County is designated as part of the “Florida Arts Trail.”
- The Buckhorn Creek Bridge on State Road 375 in Wakulla County is designated as the “Arthur L. Andrews Bridge” in honor of Wakulla County veterans.
- The Skypass Bridge (bridge number 930470) in the City of Riviera Beach in Palm Beach County is designated as “L. E. Buie Memorial Bridge.”
- The portion of State Road 24 between County Road 345 and U.S. Highway 19 in Levy County is designated as “Forest Ranger Edward O. Peters Memorial Highway.”
- The portion of N.W. 27th Avenue in Miami-Dade County, from N.W. 119th Street to N.W. 135th Street is designated as “Dr. T. Stewart Greer Avenue.”

- The portion of the Old Gandy Access Road number 10-130-000 between Gandy Boulevard and the Friendship Trail Bridge, Department of Transportation number 10-130-001, in Hillsborough County is designated as “Andrew J. Aviles Trail.”
- The portion of State Road 19 in Lake County from the north end of Lake County to the intersection of State Road 19 and U.S. Highway 441 in Eustis is designated as “Private Robert M. McTureous, Jr., U.S.M.C., Medal of Honor Memorial Highway.”
- The interchange of Interstate Highway 95 and State Road 100 at exit number 284 in Flagler County is designated as “Deputy Charles ‘Chuck’ Sease Memorial Interchange.”
- The portion of Interstate 4 from State Road 436 to State Road 50 is designated as “Larry E. Smedley Medal of Honor Highway.”
- The bridge over the Sebastian Inlet, bridge number 880005, located on State Road A1A between Brevard County and Indian River County is designated as the “James H. Pruitt Memorial Bridge.”
- The interchange of State Road 50, State Road 429, and the Florida Turnpike in Orange County is designated as “Veterans Memorial Interchange.”
- Contingent on the passage of a resolution by the affected parties, that part of Interstate 275 in Pinellas County which extends from the Howard Frankland Bridge to the Skyway Bridge is designated as “St. Petersburg/William C. Cramer Parkway.”
- The access road connecting the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute to Bruce B. Downs Boulevard in Hillsborough County is designated as “President Ronald Reagan Parkway.”
- The portion of Edgewood Avenue W. in Jacksonville from U.S. 1, East to where Edgewood Avenue W. becomes Tallulah is designated as “Robert ‘Bullet Bob’ Hayes Avenue.”
- The portion of Dunn Avenue in Jacksonville between I-295 West and I-95 North is designated as “Dan Jones Avenue.”
- The portion of State Road 44 which lies between Deland and State Road 415 in Volusia County is designated as “Clyde Hart Highway.”
- Upon designation as part of the State Highway System, the Intracoastal Waterway bridge portion of the Wonderwood Connector on Wonderwood Road between Girvin Road and

State Route A1A in Duval County is designated as the “Charles E. Bennett Memorial Bridge.”

- Bridge number 170167, the Intracoastal Waterway bridge replacing bridge number 170036 on Business U.S. Highway 41 in Sarasota County, is designated as “Circus Bridge.”
- U.S. Highway 98, in the City of Destin, from Gulf Shore Drive to 2378 Scenic Highway 98, is renamed “Emerald Coast Parkway.” The City of Destin is directed to erect suitable markers.
- U.S. Highway 98, in the City of Destin, from the East end of Marler Bridge to Gulf Shore Drive, is renamed “Harbor Boulevard.” The City of Destin is directed to erect suitable markers.
- State Road 909 on West Dixie Highway in Miami-Dade County, from the north boundary of State House District 108 to N.E. 2nd Avenue, is designated as “Alexandre Petion Boulevard.”
- State Road 915 on N.E. 6th Avenue in Miami-Dade County, from the north boundary of State House District 108 to U.S. 1, is designated as “Frederick Douglass Boulevard.”
- State Road 5 on Biscayne Boulevard (U.S. 1) in Miami-Dade County, from the north boundary of State House District 108 to the south boundary of the District, is designated as “George Gill Boulevard.”
- State Road 932 on N.W. 103rd Street in Miami-Dade County, from the west boundary of State House District 108 to N.E. 6th Avenue, is designated as “James Weldon Johnson Boulevard.”
- State Road 922 on N.W. 125th Street in Miami-Dade County, from N.W. 7th Avenue to Griffing Boulevard, is designated as “Jean-Jacques Dessalines Boulevard.”
- The portion of Honey Hill Drive in Miami-Dade County, from N.W. 27th Avenue to N.W. 47th Avenue is designated as “Judge Wilkie D. Ferguson, Jr. Boulevard.”
- The portion of N.W. 42nd Avenue in Miami-Dade County, from N.W. 119th Street to N.W. 135th Street is designated as “Sidney Alterman Way.”
- The portion of the State Road 24 Trail in Gainesville from Newell Drive to Southwest 16th Avenue is designated “Kermit Sigmon Trail.”

- U.S. Highway 331 in Walton County, from U.S. Highway 90 to the southern boundary of the City of DeFuniak Springs, is designated as “Veterans Memorial Boulevard.”
- The portion of U.S. Highway 301 in Pasco County, northbound and southbound, is designated as “Captain Charles ‘Bo’ Harrison Memorial Highway.”
- The North-South Drive on the University of Florida campus is redesignated as “Gale Lemerand Drive.”
- U.S. 1, between 296th Avenue SW and 304 Street in Miami-Dade County, is designated as the “Jerry Underwood Memorial Highway.”
- 8th Street between SW 57th Avenue and SW 62nd Avenue in Miami-Dade County is hereby designated “Cesar Calas Memorial Highway.”
- The portion of N.W. 36th Street between N.W. 27th Avenue and N.W. 39th Avenue in Miami-Dade County is designated “Bill Seidle Boulevard.”

Except where noted otherwise, the Department of Transportation is directed to erect suitable markers indicating the designations listed above.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-1; House 117-0

HIGHWAY SAFETY AND MOTOR VEHICLES

HB 1737 — Motor Vehicle Records/HSMV/Public Records

by Transportation Committee and Rep. Russell (CS/SB 2008 by Transportation Committee and Senators Sebesta, Clary, Geller, and Lynn)

Public Records Exemption

The bill amends s. 119.07(3)(aa), F.S., to provide holders of Florida driver licenses will not have to “opt out” to ensure identifying information contained in motor vehicle records is withheld from public disclosure. The bill also revises two exceptions allowing for public disclosure in connection with a legal proceeding, specifying the information may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers. This bill also provides driver’s license information can be distributed for surveys, solicitations or marketing purposes only when the license holder expressly consents to the release of the information for that purpose. This bill provides the restrictions contained in s. 119.07(3)(aa), F.S., do not impair the use of organ-donation information found on a driver license nor impair the administration of

organ-donation initiatives in this state. This bill also revises the citation to the federal Driver's Privacy Protection Act to reflect recent amendments.

Finally, this bill makes this exemption subject to the Open Government Sunset Review Act of 1995 and will repeal on October 2, 2009, unless reviewed and reenacted by the Legislature.

Public Necessity Statement

The bill provides a public necessity statement as required by s. 24(c), Art. I, State Constitution, to justify the exemption from public records laws. The bill is needed, according to the public necessity statement, to exempt personal information in motor vehicle records, with limited exceptions, to prevent the disclosure of personal information to individuals who would use the information for malicious purposes and to conform to federal law.

If approved by the Governor, these provisions take effect October 1, 2004.

Vote: Senate 38-0; House 105-6

CS/SB 1414 — Mobile and Manufactured Homes

by Regulated Industries Committee and Senator Diaz de la Portilla

This bill contains a number of changes to provisions of law relating to the regulation of mobile and manufactured homes. The bill amends s. 319.261, F.S., to no longer allow the manufacturer's certificate of origin to be used to retire the title to a mobile home. Section 320.822, F.S., is amended to clarify the definition of "setup" to include "installation" which conforms to the correct terminology used in the industry. In addition, installing foundation products, components and systems are included in the definition.

The bill amends s. 320.823, F.S., to provide that each new mobile or manufactured home manufactured or sold in this state must meet the manufactured home construction and safety regulations promulgated by the U.S. Department of Housing and Urban Development (HUD), pursuant to the Manufactured Housing Improvement Act.

The bill amends s. 320.8249, F.S., to prohibit a licensed mobile home installer from violating other state laws or rules relating to installing, repairing, or dealing in mobile homes. Also, the section provides additional prohibited actions in which the Department of Highway Safety and Motor Vehicles (DHSMV or department) at its discretion may impose disciplinary penalties, including a fine not to exceed \$1,000 per violation involving a single installation and not to exceed \$5,000 for a violation involving the complete setup. Section 320.8249, F.S., is further amended to prohibit a local government from requiring a mobile home installer to obtain additional bonding or insurance. In addition, a new subsection (14) is created to provide for licensed mobile home installers to maintain a location log for each installation decal for two

years. However, this requirement will not take effect until DHSMV develops an acceptable format for the log and provides a sample to each licensed installer.

The bill creates s. 320.8251, F.S., to require manufacturers of mobile home installation products or systems to obtain a certificate of approval from DHSMV. The manufacturer must submit to DHSMV a report certifying the mobile home installation component, product, or system meets the established mobile home installation standards based on a report from a state licensed professional engineer. Upon review, DHSMV is authorized to approve or deny the certification. The section also provides the certification is subject to suspension or revocation and obtaining such certification fraudulently or by misrepresentation will subject the responsible party to a fine. In addition, the section provides that products, components, or systems currently used in the installation or mobile homes need not be certified until July 1, 2009.

The bill amends s. 320.8285, F.S., to provide each county or municipality is responsible for the onsite inspection of each mobile home installation located within its respective jurisdiction. The onsite inspection must ensure compliance with DHSMV's uniform installation standards, and each mobile home is to be issued a certificate of occupancy if the mobile home is found in compliance with DHSMV's standards after an inspection. In addition, local governments are authorized to issue permits for installation of mobile homes only to a licensed mobile home installer or to a licensed mobile home dealer or manufactured home owner if the dealer or owner provides a licensed installer will be performing the actual work. The bill deletes the provisions in s. 320.8285(1) and (3), F.S., relating to standards in local building codes, ordinances, and regulations, which are obsolete in the context of the federal preemption for these standards. The bill also deletes the provision in s. 320.8285(1), F.S., relating to the DHSMV's authority to adopt rules for counties and municipalities that do not prepare and adopt a plan for onsite inspection of mobile homes.

The bill amends s. 320.8325, F.S., to require uniform standards for the installation of mobile homes, manufactured homes, and park trailers; and uniform standards for the manufacture of components, products, or systems used in the installation of the above. Also, the section is amended to provide that mobile homes, manufactured homes, and park trailers must be installed on a permanent foundation that resists wind, flood, flotation, overturning, sliding and lateral movement of the home or park trailer. In addition, the owner of the mobile home, manufactured home, or park trailer is responsible for the installation in accordance with DHSMV rules. Finally, obsolete language is deleted and replaced, and the term "manufactured homes" is included to conform the provision to the terminology used in the industry.

The bill amends s. 320.834, F.S., to provide mobile homes are an affordable housing resource and s. 320.835, F.S., is amended to include installers in the requirement that each mobile home manufacturer, dealer and supplier must warrant that the setup operations performed on the mobile home are performed in compliance with DHSMV rules. The bill expands the requirement under current law that the warranty must be for a period of at least 12 months to include the condition that the warranty is measured from the date of receipt of a certificate of occupancy

from an installer, or from the date of sale of a recreational vehicle. The bill provides in s. 320.835(5), F.S., DHSMV may adopt rules under ch. 120, F.S., to resolve disputes that may arise among mobile home manufacturers, dealers, installers, and suppliers. The rules must comply with the dispute resolution process set forth in the Federal Manufactured Housing Improvement Act.

In addition, this bill amends s. 215.559(8), F.S., to extend the repeal date of the Hurricane Loss Mitigation Program from June 30, 2006 to June 30, 2011.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 116-0

CS/CS/SB 2020 — Specialty License Plates

by Appropriations Committee; Transportation Committee; and Senators Clary, Smith, Saunders, Wise, Cowin, Bullard, and Haridopolos

The bill amends ss. 320.08053, 320.08056 and 320.08058, F.S., and provides the following relating to specialty plates:

Florida Educational

The bill increases the annual use fee for the Florida Educational specialty license plate from \$15 to \$20.

Save Our Seas

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to issue a Save Our Seas specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for the new specialty license plate, except that any single owner purchasing more than 10 of the Save Our Seas specialty plates for vehicles registered to that owner shall pay an annual use fee of only \$10 per plate.

The annual use fees for the Save Our Seas specialty license plate will be distributed to the Harbor Branch Oceanographic Institution, Inc. After the Harbor Branch Oceanographic Institution, Inc. is reimbursed for documented costs expended for establishing the license plate, the first annual use fee proceeds shall be used as follows:

- Ten percent of the funds to the Guy Harvey Research Foundation to conduct fisheries and shark research in Florida;
- Up to 15 percent of the funds for administrative costs directly associated with the Harbor Branch Oceanographic Institution, Inc.'s marine science and marine education programs and administrative costs associated with the specialty license plate; and

- Up to 10 percent for continuing promotion and marketing of the specialty license plate;

The remaining annual use fee proceeds shall be used to:

- Conduct scientific research and education on marine plants and animals and coastal oceanography in Florida marine waters;
- Collect and analyze long-term data sets on the state's critical marine habitats;
- Determine changes in populations and communities of marine organisms and their impacts on the use of Florida's marine resources;
- Maintain reference collections of scientific specimens and photographic archives of the state's marine plates and animals; and
- Conduct scientific conferences of relevance to Florida's marine resources and their management, utilization, and conservation.

Aquaculture

The bill directs DHSMV to issue an Aquaculture specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for the new specialty license plate, except that any single owner purchasing more than 10 of the Aquaculture specialty license plates for vehicles registered to that owner shall pay an annual use fee of only \$10 per plate.

The annual use fees for the Aquaculture specialty license plate will be distributed to the Harbor Branch Oceanographic Institution, Inc. After the Harbor Branch Oceanographic Institution, Inc. is reimbursed for documented costs expended for establishing the license plate, the first annual use fee proceeds shall be used as follows:

- Ten percent of the funds to the Guy Harvey Research Foundation to conduct outreach and education regarding aquaculture in Florida;
- Up to 15 percent for administrative costs directly associated with the Harbor Branch Oceanographic Institution, Inc.'s aquaculture programs and administrative costs associated with the specialty license plate; and
- Up to 10 percent for continuing promotion and marketing of the specialty license plate.

The remaining annual use fee proceeds shall be used to conduct scientific research and education on environmentally responsible and sustainable methods of farming:

- Freshwater and saltwater organisms such as fish, shellfish, and crustaceans for food;
- Biomedical species for pharmaceutical and nutraceutical compounds; and
- Marine ornamentals for the aquarium trade.

These remaining annual use fee proceeds will also be used to expand Harbor Branch Oceanographic Institution, Inc.'s, educational programs, including secondary school field trips, college degree programs, and other intensive courses, with the objective of increasing aquaculture's contribution to Florida's economy.

Family First

The bill directs DHSMV to issue a Family First specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees will be distributed to Family First to fund the following:

- To reimburse Family First for startup costs for developing and establishing the plate; thereafter;
- Up to 5 percent of the funds may be expended for administrative costs directly associated with the operations of Family First;
- Up to 20 percent of the funds may be expended for promoting and marketing the license plate; and
- The remaining funds may be used for programs, projects, seminars, events and family resources promoting principles for building marriages, guiding parents and raising children.

Sportsmen's National Land Trust

The bill directs the DHSMV to issue a Sportsmen's National Land Trust specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees will be distributed to the Sportsmen's National Land Trust to be used as follows:

- 50 percent may be retained until 50 percent of all startup costs for developing and establishing the plate have been recovered;
- 25 percent to fund programs and projects within the state which preserve open space and wildlife habitat, promote conservation, improve wildlife habitat, and establish open space for the perpetual use of the public; and
- 25 percent of the funds may be expended for promotion, marketing and administrative cost directly associated with operation of the Sportsmen's National Land Trust.

Also, the bill specifies the annual use fees may be used to fund the programs and projects as stated above after the 50 percent of all startup costs are retained.

Live the Dream

The bill directs DHSMV to issue a Live the Dream specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees for the Live the Dream specialty license plate will be distributed to the Dream Foundation, Inc., to be used as follows:

- The Dream Foundation, Inc., shall retain the first \$60,000 in proceeds as reimbursement for administrative costs, startup costs, and costs incurred in the approval process; thereafter
- Up to 25 percent of the proceeds to market the organizations concept and the license plate; and
- The remaining funds shall be distributed in order to:
 - 25 percent as grants for programs providing research, care and treatment for sickle-cell disease;
 - 25 percent to the March of Dimes Florida Chapter for programs and services that improve the health of babies through the prevention of birth defects and infant mortality;
 - 10 percent to the Florida Association of Healthy Start Coalitions to decrease racial disparity in infant mortality and to increase healthy birth outcomes. In addition, funding will be used to provide services and increase screening rates for high-risk pregnant women, children under 4 years of age and women of childbearing age;
 - 10 percent to the Community Partnership for Homeless, Inc., for programs providing relief for poverty, hunger and homelessness; and
 - 5 percent for administrative costs directly associated with the foundation's operations.

Florida Food Banks

The bill directs DHSMV to issue a Florida Food Bank specialty license plate with the word "Florida" to appear at the top of the plate and the word "Imagine" to appear at the bottom of the plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees will be distributed to the Florida Association of Food Banks, Inc., to fund programs to end hunger in Florida. Up to 25 percent of the proceeds may be used to market the association's concept and the license plate. An advisory board composed of a representative of each member food bank of the Florida Association of Food Banks, Inc., shall review the distribution of funds by the association.

Discover Florida's Oceans

The bill directs the DHSMV to issue a Discover Florida's Oceans specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees will be distributed to the Hubbs Florida Ocean Fund, Inc., to be used as follows:

- 20 percent of the funds shall be distributed to the Wildlife Foundation of Florida Inc., to be used for ocean, estuarine, or coastal scientific research, conservation, and education projects;
- Up to 10 percent of the funds may be used for administrative costs;
- Up to 15 percent of the funds may be used for promotion and marketing of the specialty license plate; and
- The remainder of the funds may be used:
 - To collect, analyze, archive, and publish scientific data regarding Florida's ocean, estuary, and coastal habitats, and species that inhabit, utilize, or migrate in state those waters and habitats;
 - To provide response, care, assistance, and research as part of Hubbs-SeaWorld Research Institute's statewide role in responding to and archiving data on stranded marine species;
 - To construct and maintain a marine and coastal research center in association with the Archie Carr National Wildlife Refuge on lands donated to Hubbs-SeaWorld Research Institute by the Richard King Mellon Foundation;
 - To train teachers and students to enhance scientific literacy, scientific research competency, and technology development;
 - To conduct ocean-space aquatic research and scientific research focused on ocean observations from space;
 - To conduct research on economic benefits of the state's ocean, estuary, and coastal resources and public use of those resources;
 - To create research and education programs that contribute to the development of the state's knowledge infrastructure and diversify the economy; and
 - To implement programs that seek objective, common-sense, scientific solutions to the complex marine and coastal ecological problems facing the state.

Family Values

The bill directs DHSMV to issue a Family Values specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees will be distributed to the Sheridan House, Inc., and will be expended for the following:

- To reimburse the Sheridan House, Inc., for startup costs for developing and establishing the specialty license plate;
- Up to 5 percent for administrative costs directly associated with the operations of the Sheridan House, Inc.;
- Up to 20 percent for promotion and marketing of the specialty license plate; and
- The remaining amount for residential care programs, family counseling, social services for single parents and their children, resource materials and facility construction.

Parents Make A Difference

The bill directs the DHSMV to issue a Parents Make A Difference specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate. The annual use fees will be distributed to The Gathering/USA, Inc., to fund personal counseling for parents, marriage seminars, Dads & Moms That Make a Difference seminars, father/son and mother/daughter retreats, and personal parenting behavioral assessments. The proceeds must be used in the following manner:

- Initial proceeds will be retained by The Gathering until startup costs are recovered;
- Up to five percent of the proceeds will be spent on administrative costs directly associated with the operations of The Gathering;
- Up to 20 percent will be spent on promotion and marketing of the license plate; and
- All remaining proceeds must be spent by The Gathering for programs.

Support Soccer

The bill directs the DHSMV to issue a Support Soccer specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate.

The annual use fees for the Support Soccer specialty license plate will be distributed to the Lighthouse Soccer Foundation, Inc., to be used as follows:

- The Lighthouse Soccer Foundation, Inc., shall retain the initial proceeds, not to exceed \$85,000, as reimbursement for administrative costs, startup costs, and costs incurred in the approval process; thereafter, the proceeds shall be used in the following manner:
- Up to 25 percent of the proceeds to market the organizations concept and the license plate; and
 - 20 percent to the Florida Youth Soccer Association for programs and services fostering physical, mental, and emotional growth and development of Florida's

youth through the sport of soccer at all levels of age and competition, including a portion to be determined by the Florida Youth Soccer Association for the TOPSoccer program to foster participation by the physically and mentally disadvantaged;

- 20 percent as grants for programs promoting participation by the economically disadvantaged and supporting soccer programs where none previously existed;
- 10 percent to the Florida State Soccer Association to promote the sport of soccer and long-term development of the sport;
- 10 percent as grants for programs promoting and supporting the construction of fields and soccer-specific infrastructure;
- 10 percent as grants for programs fostering and promoting health, physical fitness, and educational opportunities through soccer; and
- 5 percent for administrative costs directly associated with the foundation's operations as they relate to the management and distribution of the proceeds.

Kids Deserve Justice

The bill directs the DHSMV to issue a Kids Deserve Justice specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate. The annual use fees will be distributed to the Florida Bar Foundation, Inc., to operate a grant award process to fund children's legal services programs, which shall include legal services programs, and programs to obtain: federal benefits for disabled children; testing and services required by law for learning disabled children; and permanent placement for abused and neglected children. In addition, the Florida Bar Foundation, Inc., is authorized to retain the first annual use fee proceeds to offset its costs in developing the plate.

Animal Friend

The bill provides that notwithstanding the provisions of s. 320.08053, F.S., the DHSMV is to issue an Animal Friend specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate. The bill authorizes the DHSMV to retain the first \$60,000 in proceeds to cover its costs related to the development and issuance of the specialty license plate. Thereafter, the annual use fees will be distributed to the Humane Society of the United States for animal welfare programs and spay and neuter programs in Florida. However, no more than 10 percent of the proceeds may be used for administrative costs directly associated with marketing and promotion of the plate and distribution of funds. Also, funds received from the purchase of the plate may not be used for litigation.

Specialty License Plate Requirements

The bill revises Florida's existing specialty license plate program. Specifically, the bill amends ss. 320.08053 and 320.08056, F.S., relating to the application process to:

- Require an applicant to create the artwork for the sample plate in a medium prescribed by DHSMV;
- Define “scientific sample survey” as information gathered from a representative subset of the population as a whole;
- Modify the requirements for specialty license plates to require a scientific sample survey indicating 30,000 motor vehicle owners intend to purchase the proposed plate rather than 15,000 motor vehicle owners;
- Require the Auditor General to validate the methodology, results, and any evaluation by DHSMV of the scientific sample survey prior to the submission of the specialty license plate for approval by the Legislature;
- Require DHSMV to develop design standards for specialty license plates to assist law enforcement in identification of the state of origin of a plate (as to Florida-issued plates). The rules must provide uniform specifications requiring common placement of the word “Florida” on specialty plates, and requiring the word to be clearly identifiable when the plate is mounted on a vehicle. The rules must also provide specifications for the size and location of any words or logos appearing on the plates;
- Authorize DHSMV to retain annual use fees sufficient to cover inventory costs and audit and attestation compliance review costs directly associated with the requirements of administering the specialty license plate program;
- Change the time and criteria for discontinuation of an approved specialty license (even collegiate specialty plates). If the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months DHSMV must discontinue the plate. In addition, a warning letter is to be mailed to the sponsoring organization following the first month the total number falls below 1,000 plates; and
- Require DHSMV, in cooperation with representatives of local tax collectors and PRIDE at Union Correctional Facility, to study the feasibility of using direct-to-customer distribution of license plates, and to report the findings to the Legislature no later than December 31, 2004.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 32-6; House 116-2

HB 1335 — Vehicle Emergency Lights/Wreckers

by Rep. Galvano (CS/SB 402 by Transportation Committee and Senator Carlton)

The bill (Chapter 2004-20, L.O.F.) amends s. 316.2397, F.S., to provide greater specificity regarding the use of rotating amber lights by wreckers. This bill requires a wrecker to use amber rotating or flashing lights while performing recoveries and loading on the roadside day or night.

This bill amends s. 316.126, F.S., to provide that when a wrecker is performing a recovery or loading on the roadside while displaying amber rotating or flashing lights, motorists are to, as

soon as it is safe, vacate the lane closest to the wrecker when driving on an interstate highway or other highway with two or more lanes traveling in the direction of the emergency vehicle. On two lane roads, motorists are required to reduce their speed to 20 mph less than the posted speed limit when the posted speed limit is 25 mph or greater or slow to a speed of 5 mph when the posted speed limit is 20 mph or less; unless otherwise instructed by a law enforcement officer.

These provisions were approved by the Governor and take effect July 1, 2004.

Vote: Senate 37-0; House 119-1

SB 324 — Driver's Licenses/Highway Safety and Motor Vehicles

by Senator Saunders

The bill amends s. 322.20, F.S., to require the Department of Highway Safety and Motor Vehicles (DHSMV) to maintain conviction records for persons holding a foreign driver's license if the uniform traffic citation indicates an address located in Florida.

The bill also amends s. 322.27, F.S., to require law enforcement agencies to notify DHSMV within 24 hours after any traffic fatality or when a law enforcement officer initiates a blood test for impairment or intoxication in cases of death or serious injury. This bill conforms statutory language to procedures that are currently codified in the Florida Uniform Traffic Citations Procedure Manual.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 118-0

SB 276 — Safe Harbor Haven, Inc./Vessels

by Senator Wise

The State of Florida requires the registration of most water-borne vessels, subject to fees ranging from \$3.50 to \$122.50, based on vessel length. Exempted from registration fees are vessels certified as antique by the Florida Department of Highway Safety and Motor Vehicles and vessels owned by several charitable or not-for-profit organizations.

The bill amends s. 328.72, F.S., to reinstate the vessel registration-fee exemption for Safe Harbor Haven, Inc., a Jacksonville based organization that includes among its programs a residential education and counseling program for troubled teenaged boys.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 113-0

HB 11 — Motor Vehicle Title Certificates

by Rep. Adams and others (SB 314 by Senators Campbell and Lynn)

This bill amends s. 319.23, F.S., to require the Department of Highway Safety and Motor Vehicles (DHSMV) to retain, for a period of not less than 10 years, all titles, manufacturers' statements of origin, applications, and supporting documents submitted with the application, including, but not limited to, odometer statements, vehicle identification number verifications, bills of sale, indicia of ownership, dealer reassignments, photographs, and any personal identification, affidavits, or documents required by or submitted to DHSMV.

If approved by the Governor, these provisions take effect July 1, 2004.

Vote: Senate 39-0; House 119-0